

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SHAN et al

Serial Number: 09/481,572

Filed: January 11, 2000

Art Unit: 1651

Examiner: M. Meller

Atty. Docket No. P108061-09013

For: HYPERICIN AND HYPERICUM EXTRACT: SPECIFIC T-TYPE CALCIUM CHANNEL BLOCKER, AND THEIR USE AS T-TYPE CALCIUM CHANNEL TARGETED THERAPEUTICS

REQUEST FOR REFERENCE COPY AND RESTART OF RESPONSE TERM

Commissioner of Patent
Washington, D.C. 20231

MAR 13 2001

March 9, 2001

Sir:

TECH CENTER 1600/2900

The Official Action mailed October 12, 2000, in the above application cited. and rejected claims as anticipated by, Belgium Patent 654914. Counsel was provided with an abstract from Derwent Information of the Belgium patent, but not of the underlying patent itself. Counsel has independently obtained a copy of Belgium Patent 654914 and obtained an English language translation thereof. The Belgium patent in question has no relationship to the Derwent Abstract supplied by the Examiner, other than the common patent number. It appears that the abstract is not of the indicated Belgium patent, and the Examiner is requested to provide counsel with documentation reflecting the exact basis for his rejection of the claims. This would involve a correct identification of the abstracted reference relied upon by the Examiner, or, better yet, the provision of a copy of such reference to counsel. Since the rejection of paragraph 9 of the Official Action was in part based upon the Belgium patent, it is believed in order to restart the response term herein.

Counsel regrets the delay in requesting this restart, but the erroneous nature of the

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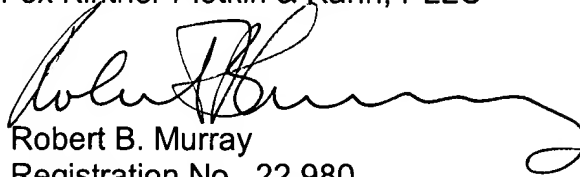
Let. re:
Ref. Omit
3/16/01

7/10.06

citation only came to his attention today.

In the event any fees are required, please charge our Deposit Account No. 01-2300.

Respectfully submitted,
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